

REMARKS

Applicants reply to the Office Action mailed on January 7, 2010 within three months. Claims 2-4, 6-18, 39 and 40 are pending in the application and the Examiner rejects claims 2-4, 6-18, 39 and 40. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter is entered with these amendments. Applicants respectfully request reconsideration of this application.

Rejections under 35 U.S.C § 103

The Examiner rejects claims 2-4,6-18 and 39 under 35 U.S.C. 103(a) as being unpatentable over McDonough US 6,070,142 (*McDonough*) in view of Cunningham US 6,014,645 (*Cunningham*) and further in view of "The World Wide Web as enabling technology for CSCW: The case of BSCW", R Bentley, T Horstmann, J Trevor - Computer Supported Cooperative ... , 1997 – Springer (*Bentley*). The Examiner rejects Claim 40 under 35 U.S.C. 103(a) as being unpatentable over *McDonough* in view of *Cunningham*, in view of *Bentley* and further in view of Carleton, US 2001/0044840 (*Carleton*). Applicants disagree with these rejections. However, Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Carleton discloses a system for real-time monitoring of a network. See *Carleton* Abstract. The *Carleton* system monitors network operations and can send notifications to network management personnel in the case of a network operational issue or performance problem. See *Carleton*, para. 0009. Notifications may be sent by fax, pager, email or telephone. The *Carleton* system provides for business rules that specify performance levels and for redundant monitoring. See *Carleton*, para. 0010.

Significantly, *Carleton* fails to disclose determining a status of a plurality of utilities and modules and determining, from those individual statuses and from a workflow associated with a certain event request, that the event request (e.g., associated with a product or service) is operationally available. In other words, while *Carleton* may disclose monitoring a network and determining individual (or point) failures, *Carleton* fails to disclose the sophistication associated with determining from a holistic view of the condition of all the monitored assets, a product or

service offering that may be unavailable. None of the cited references contemplate such sophistication.

Neither *McDonough*, *Cunningham*, nor *Bentley* cure the deficiencies of Carleton. As such, neither Carleton nor any of the cited references, alone or in combination, disclose or contemplate at least,

determine, based upon a first handler, a subset of the plurality of handler systems and a subset of the plurality of worker utilities associated with a first event request;

...

determine, based upon a first business logic associated with a first handler and the plurality of statuses, a status report for at least one of a client system, a product and a service associated with the first event request;

determine, based at least in part on the status report, a time slot during which the plurality of clients are permitted to submit the first event request, and

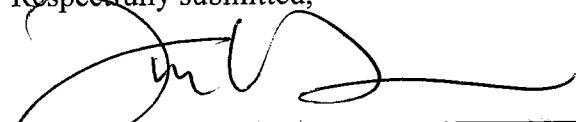
as recited in independent claim 39 (emphasis added). Applicants therefore respectfully submit that independent claim 39 is allowable over the cited references.

Dependent claims 2-4, 6-18 and 40 variously depend from independent claim 39, so dependent claims 2-4, 6-18 and 40 are allowable over the cited references for the reasons set forth above, in addition to their own unique features, some of which are stated above.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: 4/7/10



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